

Form PTO-1449

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Applicant: Paul L. Hickman  
Serial No.: 10/773,617  
Filing Date: February 6, 2004  
Confirmation No.: 7761  
For: EXERCISE AND HEALTH EQUIPMENT

Docket No.: 13915.74.1.4  
Group: 3764

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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

Examiner Initial*	Patent Number	Issue Date	Name
<u>  </u>	A1. 3,602,502	8/31/71	Hampl
<u>  </u>	A2. 4,112,928	9/12/78	Putsch
<u>  </u>	A3. 4,151,988	5/1/79	Nabinger
<u>  </u>	A4. 4,358,105	11/9/82	Sweeney, Jr.
<u>  </u>	A5. 4,544,152	10/1/85	Taitel
<u>  </u>	A6. 4,549,044	10/22/85	Durham
<u>  </u>	A7. 4,571,682	2/18/86	Silverman, et al.
<u>  </u>	A8. 4,659,074	4/21/87	Taitel, et al.
<u>  </u>	A9. 4,642,769	2/10/87	Petrofsky
<u>  </u>	A10. 4,687,195	8/18/87	Potts
<u>  </u>	A11. 4,828,257	5/9/89	Dyer, et al.
<u>  </u>	A12. 4,842,266	6/27/89	Sweeney, Sr., et al.
<u>  </u>	A13. 4,848,737	7/18/89	Ehrenfield
<u>  </u>	A14. 4,860,763	8/29/89	Schminke
<u>  </u>	A15. 4,927,136	5/22/90	Leask

Examiner:

*G. Hickman*

Date Considered:

*11/14/08*


















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For: EXERCISE AND HEALTH EQUIPMENT

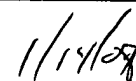
Docket No.: 13915.74.1.4  
Group: 3764

Examiner Initial*	Patent Number	Issue Date	Name
	A16. 4,938,474	07/03/90	Sweeney et al.
	A17. 4,949,993	08/21/90	Stark et al.
	A18. 4,959,713	9/25/90	Morotomi, et al.
	A19. 5,054,774	10/8/91	Belsito
	A20. 5,078,152	1/7/92	Bond, et al.
	A21. 5,086,385	2/4/92	Launey, et al.
	A22. 5,113,427	5/12/92	Ryoichi, et al.
	A23. 5,145,475	9/8/92	Cares
	A24. 5,195,935	3/23/93	Fencel
	A25. 5,308,296	5/3/94	Eckstein
	A26. 5,313,942	5/24/94	Platzker
	A27. 5,314,391	5/24/94	Potash, et al.
	A28. D348,493	7/5/94	Ashby
	A29. 5,328,420	7/12/94	Allen
	A30. 5,328,422	7/12/94	Nichols
	A31. 5,352,166	10/4/94	Chang
	A32. 5,382,209	1/17/95	Pasier, et al.

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Docket No.: 13915.74.1.4  
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Examiner Initial*	Patent Number	Issue Date	Name
<u>8</u>	A33. 5,387,164	2/7/95	Brown, Jr.
<u>8</u>	A34. 5,410,471	4/25/95	Alyfuku, et al.
<u>8</u>	A35. 5,410,472	4/25/95	Anderson
<u>8</u>	A36. 5,433,679	7/18/95	Szymczak, et al.
<u>8</u>	A37. 5,462,051	10/31/95	Oka, et al.
<u>8</u>	A38. 5,462,504	10/31/95	Trulaske, et al.
<u>8</u>	A39. 5,466,200	11/14/95	Ulrich, et al.
<u>8</u>	A40. 5,474,090	12/12/95	Begun, et al.
<u>8</u>	A41. 5,512,025	4/30/96	Dalebout, et al.
<u>8</u>	A42. 5,535,664	7/16/96	Rokowski
<u>8</u>	A43. 5,591,104	1/7/97	Andrus, et al.
<u>8</u>	A44. 5,600,310	2/4/97	Whipple, III, et al.
<u>8</u>	A45. 5,619,412	4/8/97	Hapka
<u>8</u>	A46. 5,619,991	4/15/97	Sloane
<u>8</u>	A47. 5,626,539	5/6/97	Piaget, et al.
<u>8</u>	A48. 5,645,509	7/8/97	Brewer, et al.
<u>8</u>	A49. 5,697,834	12/16/97	Heumann, et al.

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















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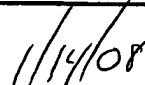
Docket No.: 13915.74.1.4  
Group: 3764

Examiner Initial*	Patent Number	Issue Date	Name
 A50.	5,702,323	12/30/97	Poulton
 A51.	5,720,771	2/24/98	Snell
 A52.	5,722,418	3/3/98	Bro
 A53.	5,738,612	4/14/98	Tsuda
 A54.	5,743,833	4/28/98	Watterson, et al.
 A55.	5,749,372	5/12/98	Allen, et al.
 A56.	5,752,897	5/19/98	Skowronski, et al.
 A57.	5,759,199	6/2/98	Snell, et al.
 A58.	5,779,596	7/14/98	Weber
 A59.	5,785,630	07/28/98	Bobick et al.
 A60.	5,810,696	9/22/98	Webb
 A61.	5,845,230	12/1/98	Lamberson
 A62.	5,857,939	1/12/99	Kaufman
 A63.	5,865,733	2/2/99	Malinouskas, et al.
 A64.	5,873,369	2/23/99	Lanaido, et al.
 A65.	5,880,677	3/9/99	Lestician

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















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7761

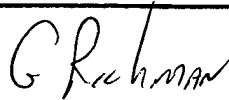
Group: 3764

For:

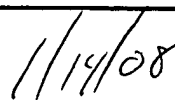
EXERCISE AND HEALTH EQUIPMENT

Examiner Initial*	Patent Number	Issue Date	Name
	A66. 5,890,995	4/6/99	Bobick, et al
	A67. 5,911,132	6/8/99	Sloane
	A68. 5,911,687	6/15/99	Sato, et al.
	A69. 5,917,405	6/29/99	Joao
	A70. 5,929,748	7/27/99	Odinak
	A71. 5,929,782	7/27/99	Stark
	A72. 5,931,763	8/3/99	Alessandri
	A73. 5,947,869	9/7/99	Shea
	A74. 5,961,561	10/5/99	Wakefield, II
	A75. 5,964,701	10/12/99	Asada, et al.
	A76. 5,967,975	10/19/99	Ridgeway
	A77. 5,995,868	11/30/99	Dorfmeister, et al.
	A78. 6,010,451	1/4/00	Clawson
	A79. 6,013,007	1/11/00	Root, et al.
	A80. 6,033,344	3/7/00	Trulaske, et al.
	A81. 6,042,519	3/28/00	Shea
	A82. 6,050,822	4/18/00	Faughn

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Examiner Initial*	Patent Number	Issue Date	Name
<u>LR</u>	A83. 6,053,737	4/25/00	Babbitt, et al.
—	A84. 6,053,844	4/25/00	Clem
—	A85. 6,059,692	5/9/00	Hickman
—	A86. 6,132,337	10/17/00	Krupka, et al.
—	A87. 6,152,854	11/28/00	Carmein
—	A88. 6,162,189	12/19/00	Girone et al.
—	A89. 6,171,218	1/9/01	Shea
—	A90. 6,193,631	2/27/01	Hickman
—	A91. 6,211,451	4/3/01	Tohgi, et al.
—	A92. 6,231,481	5/15/01	Brock
—	A93. 6,231,482	5/15/01	Thompson
—	A94. 6,244,988	06/12/01	Delman
—	A95. 6,251,048	6/26/01	Kaufman
—	A96. 6,312,363	11/6/01	Watterson, et al.
—	A97. 6,358,187	3/19/02	Smith
✓	A98. 6,450,922	09/17/02	Henderson et al.
<u>LR</u>	A99. 6,458,060	10/1/02	Watterson, et al.

Examiner:

G. Richman

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11/14/08

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<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	
<u>JA</u>	A100.	6,464,618	10/15/02	Shea
<u>JA</u>	A101.	6,475,115	11/5/02	Candito, et al.
<u>JA</u>	A102.	6,582,342	6/24/03	Kaufman, et al.
<u>JA</u>	A103.	6,585,622	07/01/03	Shum et al.
<u>JA</u>	A104.	6,634,992	10/21/03	Ogawa
<u>JA</u>	A105.	6,638,198	10/28/03	Shea
<u>JA</u>	A106.	6,736,759	05/18/04	Stubbs et al.
<u>JA</u>	A107.	6,749,537	06/15/04	Hickman
<u>JA</u>	A108.	6,808,472	10/26/04	Hickman

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
<u>JA</u>	A109.	WO 98/32496	7/30/98	PCT

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Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial\*

- 8 A110. *The FitLinxx Interactive Fitness Network™, Integrated Fitness Corp., brochure, 1998.*
- A111. *Fitlinxx Interactive Fitness Network™, The Difference Between Surviving and Thriving May be as Simple as FitLinxx™, Integrated Fitness Corp., brochure, 1998.*
- A112. *Forbes.com: Sweat equity, [www.forbes.com](http://www.forbes.com), February 1998.*
- A113. *Netpulse, Networkingout--Coming Distractions: Netpulse Helps Exercisers Surf the Net at the Gym, Accomplish Several Goals at Once, [www.netpulse.com](http://www.netpulse.com), April 1998.*
- A114. *Netpulse, Instead of having an equipment repair technician traveling over hill and dale, you may soon have equipment repaired via the internet, [www.netpulse.com](http://www.netpulse.com), July 1998.*
- A115. *Netpulse, Infotech is supposed to make life easier-remember? Here's how to be sure it does., [www.netpulse.com](http://www.netpulse.com), August 1998.*
- ✓ A116. *Netpulse, Exercise station connects to the Net, Now you can sweat to the Net., [www.netpulse.com](http://www.netpulse.com), September 1998.*
- 8 A117. *Netpulse, New Fitness Equipment Combines Internet, Sweat, Now you can surf and sweat, [www.netpulse.com](http://www.netpulse.com), January 1999.*

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- [Handwritten line through citations A118 to A124]*
- A118. Netpulse, Hop In, Log On and Sweat, *Netpulse exercise machines are the latest Web feat*, [www.netpulse.com](http://www.netpulse.com), February 1999.
- A119. Netpulse ClubWatch™, *Internet Powered Service*, brochure, April 1999.
- A120. Netpulse, *State of the Art*, [www.netpulse.com](http://www.netpulse.com), February 2000.
- A121. Netpulse, *Netpulse Files for Patents on its Pioneering Technology Inventions and Groundbreaking Business Methods in the Media and Fitness Markets*, [www.netpulse.com](http://www.netpulse.com), May 2000.
- A122. Forbes, Digital Tool: Startups, *Sweat.equity*, [www.forbes.com](http://www.forbes.com), June 2000.
- A123. *Exergaming*, [en.wikipedia.org](http://en.wikipedia.org), printed October 1, 2007 (4 pages).
- A124. *WIRED*, [www.wired.com](http://www.wired.com), issue 2.09, September 1994 (4 pages).
- [Handwritten arrow pointing down from A124 to A125]*
- A125. "Defendant's Amended Invalidity Contentions," Case No. 2:05-cv-527, signed by Kirk Harris on March 16, 2007 (15 pages).
- [Handwritten line through A126]*
- A126. "Expert Report of Dr. Brent Nelson Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B)," dated March 13, 2007 (372 pages).

### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

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Filing Date: February 6, 2004  
Confirmation No.: 7761  
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Docket No.: 13915.74.1.4  
Group: 3764

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

Examiner:

*G. Richman*

Date Considered:

*11/14/08*

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.